

Bill No. SB 1228

Barcode 432758 Comm: 2/RCS 02/21/2007 02:21 PM

581-1882B-07

Proposed Committee Substitute by the Committee on Education
Pre-K - 12

1 A bill to be entitled

2 An act relating to academically high-performing

3 school districts; creating s. 1003.621, F.S.;

4 providing criteria for designating academically

5 high-performing school districts; providing

6 exceptions for such districts to be exempt from

7 certain statutes and rules; providing

8 compliance requirements; providing for district

9 governing boards; providing for reports;

10 providing for a review by the State Board of

11 Education of certain reporting requirements;

12 providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 1003.621, Florida Statutes, is

17 created to read:

18 1003.621 Academically high-performing school

19 districts.--It is the intent of the Legislature to recognize

20 and reward school districts that demonstrate the ability to

21 consistently maintain or improve their high-performing status.

22 The purpose of this section is to provide high-performing

23 school districts with flexibility in meeting the specific

24 requirements in statute and rules of the State Board of

25 Education.

26 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.--

27 (a) A school district is an academically

28 high-performing school district if it meets the following

29 criteria:

30 1.a. Beginning with the 2004-2005 school year, earns a

31 grade of "A," under s. 1008.34(7) for 2 consecutive years; and

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1 b. Has no district-operated school that earns a grade
2 of "F" under s. 1008.34;

3 2. Complies with all class size requirements in s. 1,
4 Art. IX, of the State Constitution and s. 1003.03; and

5 3. Has no material weaknesses or instances of material
6 noncompliance noted in the annual financial audit conducted
7 pursuant to s. 218.39.

8 (b) A school district that satisfies the eligibility
9 criteria for designation as an academically high-performing
10 school district may be so designated if it reports to the
11 State Board of Education the specific statutes or rules from
12 which the school district is exempt for 3 years.

13 (c) The academically high-performing school district
14 shall retain the designation as a high-performing school
15 district for 3 years, at the end of which time the district
16 may renew the designation if the district meets the
17 requirements in this section. A school district that fails to
18 meet the requirements in this section shall provide written
19 notification to the State Board of Education that the district
20 is no longer eligible to be designated as an academically
21 high-performing school district.

22 (d) In order to maintain the designation as an
23 academically high-performing school district pursuant to this
24 section, a school district must meet the following
25 requirements:

26 1. Comply with the provisions of subparagraphs(a)2.
27 and 3.; and

28 2. Earn a grade of "A" under s. 1008.34(7) for 2 years
29 within a 3-year period.

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31 However, a district in which a district-operated school earns

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a grade of "F" under s. 1008.34 during the 3-year period may not continue to be designated as an academically high-performing school district during the remainder of that 3-year period. The district must meet the criteria in paragraph (a) in order to be redesignated as an academically high-performing school district.

(2) EXEMPTION FROM STATUTES AND RULES.--An academically high-performing school district may not be exempt from any of the following statutes:

(a) Those statutes pertaining to the provision of services to students with disabilities.

(b) Those statutes pertaining to civil rights, including s. 1000.05, relating to discrimination.

(c) Those statutes pertaining to student health, safety, and welfare.

(d) Those statutes governing the election or compensation of district school board members.

(e) Those statutes pertaining to the student assessment program and the school grading system, including chapter 1008.

(f) Those statutes pertaining to financial matters, including chapter 1010, except that s. 1010.20(3)(a)1., 2., and 3., relating to the required program expenditure levels, are eligible for exemption.

(g) Those statutes pertaining to planning and budgeting, including chapter 1011, except that the following sections are eligible for exemption:

1. Section 1011.62(9)(d), relating to the requirement for a comprehensive reading plan; and

2. Section 1011.71(2), relating to the district school tax, in order to provide funds for property insurance and

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casualty insurance.

(h) Sections 1012.22(1)(c) and 1012.27(2), relating to differentiated pay and performance-pay policies for school administrators and instructional personnel. Professional service contracts are subject to the provisions of ss. 1012.33 and 1012.34.

(i) Those statutes pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for portables, and s. 1013.21, relating to the use of relocatable facilities that exceed 20 years of age, are eligible for exemption.

(j) Those statutes relating to instructional materials, except that s. 1006.37, relating to the requisition of state-adopted materials from the depository under contract with the publisher, and s. 1006.40(3)(a), relating to the use of 50 percent of the instructional materials allocation, shall be eligible for exemption.

(3) COMPLIANCE REQUIREMENTS.--An academically high-performing school district shall comply with the following statutes:

(a) Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

(b) Those statutes pertaining to public records, including chapter 119.

(c) Those statutes pertaining to financial disclosure by elected officials.

(d) Those statutes pertaining to conflicts of interest by elected officials.

(4) GOVERNING BOARD.--The governing board of the academically high-performing school district shall be the duly elected district school board. The district school board shall

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1 supervise the academically high-performing school district.

2 (5) REPORTS.--The academically high-performing school
3 district shall submit to the State Board of Education and the
4 Legislature an annual report on December 1 which delineates
5 the performance of the school district relative to the
6 academic performance of students at each grade level in
7 reading, writing, mathematics, science, and any other subject
8 that is included as a part of the statewide assessment program
9 in s. 1008.22. The annual report shall be submitted in a
10 format prescribed by the Department of Education and shall
11 include, but need not be limited to, the following:

12 (a) Longitudinal performance of students in
13 mathematics, reading, writing, science, and any other subject
14 that is included as a part of the statewide assessment program
15 in s. 1008.22;

16 (b) Longitudinal performance of students by grade
17 level and subgroup in mathematics, reading, writing, science,
18 and any other subject that is included as a part of the
19 statewide assessment program in s. 1008.22;

20 (c) Longitudinal performance regarding efforts to
21 close the achievement gap;

22 (d)1. Number and percentage of students who take an
23 Advanced Placement Examination; and

24 2. Longitudinal performance regarding students who
25 take an Advanced Placement Examination by demographic group,
26 specifically by age, gender, race, and Hispanic origin, and by
27 participation in the National School Lunch Program.

28 (e) Evidence of compliance with subsection (1); and

29 (f) A description of each waiver and the status of
30 each waiver.

31 Section 2. The State Board of Education shall identify

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1 any reporting requirements in state law which duplicate the
 2 requirements for reporting under the federal No Child Left
 3 Behind Act and make recommendations to the Legislature by
 4 December 1, 2007, for eliminating duplicative requirements in
 5 state law.

6 Section 3. This act shall take effect upon becoming a
 7 law.

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